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VEDDER PRICE P.C. 222 N. LASALLE STREET CHICAGO, IL 60601			EXAMINER	
			CHEN, SHIN HON	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/849,402

Applicant(s)

VOICE ET AL.

Examiner

SHIN-HON CHEN

Art Unit

2431

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 37-40 is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-23, 25, 26, 29-36 and 41 is/are rejected.
- 7) ☒ Claim(s) 14, 24, 27 and 28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Drafts/Person's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/7/10
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-41 have been examined.

Allowable Subject Matter

2. Claims 14, 24, 27 and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
3. Claims 37-40 are allowed.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 41 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. As per claim 41, the claim discloses authenticating a recipient based on the received desired sender authentication information. However, the claim is ambiguous and indefinite as to how desired sender authentication information was sent by sender and then used by the sender to authenticate the recipient. Therefore, applicant is advised to revise the claims to clearly point out the relationship between sender and recipient and the information exchanged. Also, applicant is

advised to incorporate allowable subject matter into independent claims to clearly disclose the inventive concept and to expedite prosecution.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-8, 10-13, 15-23, 25, 26, 31-33 and 35 rejected under 35 U.S.C. 103(a) as being unpatentable over Watts U.S. Pat. No. 5712627 (hereinafter Watts).

9. As per claim 1, Watts discloses a method for providing electronic message authentication comprising:

determining, by as sender unit, for a recipient that has been assigned an article, desired sender authentication information that corresponds to sender authentication information that is embodied on the article that has been assigned to the recipient (Watts: column 2 lines 7-15: access to secured system is partially granted if the sender authentication information/identification card is authenticated by matching the randomly generated addressable indicium), and which sender identification information can be located on the article by using location information (Watts: figure 1: the identification card comprises rows and columns as location information to assist user enter corresponding indicium to access resource); and

sending, by the sender unit, data representing an electronic message and both the location information and the desired sender authentication information for the recipient (Watt: column 2 lines 37-64: the security system retrieves location information and the desired sender authentication information for authentication).

Watts discloses an authentication method that primarily applies to user. However, it would have been obvious to one having ordinary skill in the art to apply the method to sender authentication because authentication method is not limited to a particular party as long as there is motive to ensure the authenticity of an communicating party.

10. As per claim 2, Watts discloses the method of claim 1. Watts further discloses wherein the location information and the sender authentication information includes electronically transmitted data for display on a display device (Watts: column 3 lines 27-33: the location information/randomly specified addressable position is electronically transmitted and displayed to prompt user to enter sender authentication information/printed indicia).

11. As per claim 3, Watts discloses the method of claim 1. Watts further discloses wherein the article issued to the recipient contains sender authentication information that is arranged in rows and columns (Watts: figure 1: the indicia are addressable through rows and columns).

12. As per claim 4, Watts discloses the method of claim 1. Watts further discloses wherein the article issued to the recipient is a transaction card (Watts: column 2 lines 37-41: the transaction card/identification security card allows access to resources).

13. As per claim 5, Watts discloses the method of claim 4. Watts further discloses wherein the sender authentication information and location information is affixed to the article (Watts: figure 1: the indicia/sender authentication information and location information/columns and rows are printed on the card).

14. As per claim 6, Watts discloses the method of claim 4. Watts further discloses wherein the sender authentication information and location information are on a member that may be attached to the article (Watts: figure 1).

15. As per claim 7, Watts discloses the method of claim 1. Watts further discloses wherein the sent location information and desired sender authentication information is in the form of a visual filtering pattern and wherein the visual filtering pattern directs the recipient to a location on the article containing the sender authentication information (Watts: column 3 lines 27-33 and figure 1: the matrix printed on the identification card is in the form of a visual filtering pattern that requires the user to visually filter for information indicated by the location information).

16. As per claim 8, Watts discloses the method of claim 1. Watts further discloses wherein the sent sender identification information is a pointer that directs the recipient to the sender authentication information (Watts: column 3 lines 29-32: randomly generated addressable position).

17. As per claims 9, Watts discloses the method of determining whether indicia stored by the sender system/card providing side matches the indicia printed on identification card (Watts: column 3 lines 27-33). Watts does not explicitly disclose a pointer that takes the recipient to a web page containing the sender authentication information. However, Watts discloses the secured system could be applied to any communication system and it would have been obvious to one having ordinary skill in the art to incorporate the secured system to web communication as to allow the comparison of indicia to take place following redirection of server to authentication web page.

18. As per claim 10, Watts discloses the method of claim 1. Watts further discloses wherein the article is an electronic representation of an article (Watts: column 2 lines 37-40: the article can be hardware or software/data).

19. As per claim 11. Watts discloses the method of claim 10. Watts further discloses wherein the electronic representation of the article can be displayed so as to be read by a recipient (Watts: column 2 lines 37-41).

20. As per claim 12, Watts discloses the method of claim 10. Watts further discloses wherein the electronic representation of the article can be accessed by a software application so as to provide the recipient with the sender authentication information located at the location identified by the sent location information (Watts: column 3 lines 28-32).

21. As per claim 13, Watts discloses the method of claim 1. Watts further discloses the steps of issuing an article to a recipient wherein the article contains at least: (a) sender authentication information that is identifiable by location information (Watts: figure 1: indicia); (b) location information (Watts: figure 1: column and rows indicators); and (c) an article identifier linked to the recipient (Watts: column 1 lines 16-17: cards typically contain card identification number).

22. As per claim 15, Watts discloses a method for providing electronic message authentication comprising:

associating location information and desired sender authentication information with an electronic message for a recipient, wherein the desired sender authentication information corresponds to sender authentication information at a location specified by the location information on an article that has been allocated to the recipient (Watts: column 2 lines 7-15: access to secured system is partially granted if the sender authentication information/identification card is authenticated by matching the randomly generated addressable indicium); and

sending data representing the electronic message with the associated location information and desired sender authentication information to the recipient to provide sender authentication to the recipient (Watt: column 2 lines 37-64: the security system prompts user to enter information/electronic message and also provides sender authentication and location information to users).

23. As per claim 16, Watts discloses the method of claim 15. Watts further discloses wherein the location information is associated with the electronic message by inserting it within the electronic message (Watts: column 3 lines 27-32: the prompt provides location information to user to request authentication information).

24. As per claim 17, Watts discloses the method of claim 15. Watts further discloses wherein the location information is associated with the electronic message by appending to the electronic message (Watts: column 3 lines 27-32).

25. As per claim 18, Watts discloses the method of claim 15. Watts further discloses wherein the location information is associated with the electronic message by pre-pending to the electronic message (Watts: column 3 lines 50-55).

26. As per claim 19, Watts discloses the method of claim 15. Watts further discloses wherein the article allocated to the recipient contains sender authentication information located thereon identifiable by the sent location information (Watts: column 3 lines 27-32).

27. As per claim 20, Watts discloses the method of claim 15. Watts further discloses prior to step of associating, determining, for the recipient that has been allocated the article, desired sender authentication information that corresponds to sender authentication information that is on the article, and which desired sender identification information can be located on the article

by using location information (Watts: column 3 lines 27-32: determine the desired sender authentication information based on the randomly generated indicia).

28. As per claim 21, Watts discloses a method for providing electronic message authentication comprising:

for at least one recipient of interest, generating data representing at least one of random and pseudo random sender authentication information and linking sender authentication information to corresponding location information (Watts: column 3 lines 27-32: the randomly chosen desired authentication information corresponds to the information indicated by indicia);

storing the sender authentication information and corresponding location information (Watts: figures 1 and column 3 lines 12-32: the system stores the desired authentication information corresponding to the information issued to user);

issuing an article to the recipient of interest wherein the article contains at least:

a) sender authentication information identifiable by location information (Watts: figure 1: authentication information addressed by column and row);

b) an article identifier linked to the recipient (Watts: column 3 lines 12-14: identification card);

determining which of the stored location information and the corresponding sender authentication information to send to a recipient as desired sender authentication information (Watts: column 3 lines 27-29); and

sending data representing an electronic message and both location information and corresponding desired sender authentication information located at the location identified by the

sent location information to the recipient (Watts: column 3 lines 27-32: sending indicia to user to request authentication information).

29. As per claim 22, Watts discloses the method of claim 21. Watts further discloses wherein the location information and corresponding desired sender authentication information includes electronically transmitted data for display on a display device (Watts: column 2 lines 37-40: the security system provides secured access to various electronic devices).

30. As per claim 23, Watts discloses the method of claim 21. Watts further discloses wherein the location information on the article is in the form of rows and column identifiers (Watts: column 3 lines 27-32).

31. As per claim 25, Watts discloses the method of claim 21. Watts further discloses wherein the article is an electronic representation of the article that can be displayed so as to be read by a recipient (Watts: column 2 lines 51-53: indicia selected by the computer system and presented through printed card).

32. As per claim 26, Watts discloses the method of claim 21. Watts further discloses wherein the article is an electronic representation of the article that can be accessed by a software application so as to provide the recipient with the sender identification information located at the location identified by the sent location information (Watts: column 2 lines 37-52).

33. As per claim 29, Watts discloses a transaction card comprising: transaction card serial number information (Watts: column 3 lines 25-29); sender authentication information identifiable by location information (Watts: column 2 lines 62 - column 3 line 10 and figure 1: the random digit represented in a matrix); and location information (Watts: column 2 lines 56-61: the location designating symbols).

Watts does not explicitly disclose the card comprises serial number information and account information. However, it would have been obvious to one having ordinary skill in the art to include identification information such as serial number on a card to identify proper owner of the card because use of serial number on card device is well known and standard practice.

34. As per claim 30, Watts discloses the transaction card of claim 29. Watts further discloses wherein the sender authentication information and location information is on a member that is secured to the transaction card (Watts: figure 1).

35. As per claim 31, Watts discloses an apparatus for providing electronic message authentication comprising:

a circuit operative to determine, for a recipient that has been assigned an article (Watts: column 3 lines 10-12), desired sender authentication information that corresponds to sender authentication information that is on the article that has been assigned to the recipient, and which sender authentication information can be located on the article by using location information (Watts: figure 1 and column 3 lines 27-32: the information indicated by the indicia); and

a circuit operative to send an electronic message and both the location information and the desired sender authentication information for the recipient (Watts: column 2 lines 37-40: secured access to systems; column 3 lines 27-32: the system prompts user to enter authentication information).

36. As per claim 32, Watts discloses the apparatus of claim 31. Watts further discloses wherein the circuit that is operative to send the electronic message and both the location information and the desired sender authentication information sends the location information in the form of a visual filtering pattern and wherein the visual filtering pattern directs the recipient to a location on the article containing sender authentication information (Watts: figure 1 and column 3 lines 17-32: the visual filtering pattern is in the form of indicium).

37. As per claim 33, Watts discloses the apparatus of claim 31. Watts further discloses wherein the sent desired sender identification information is a pointer that directs the recipient to the sender authentication information (Watts: column 3 lines 27-32: providing indicium/pointer for user to identify desired authentication information).

38. As per claims 34, Watts discloses the apparatus of determining whether indicia stored by the sender system/card providing side matches the indicia printed on identification card (Watts: column 3 lines 27-33). Watts does not explicitly disclose a pointer that takes the recipient to a web page containing the sender authentication information. However, Watts discloses the secured system could be applied to any communication system and it would have been obvious

to one having ordinary skill in the art to incorporate the secured system to web communication as to allow the comparison of indicia to take place following redirection of server to authentication web page.

39. As per claim 35, Watts discloses the apparatus of claim 31. Watts further discloses a circuit operative to, for at least one recipient of interest, generate data representing at least one of random and pseudo random sender authentication information and linking the sender authentication information to corresponding location information and to store the sender authentication information corresponding location information and to issue an article to the recipient of interest (Watts: column 3 lines 27-32: randomly selecting indicia that correspond to the authentication information) wherein the article contains at least:

(a) sender authentication information identifiable by location information (Watts: column 3 lines 27-32: the indicium/location information); and

(b) an article identifier linked to the recipient (Watts: column 3 lines 12-14: identification card); and

wherein the circuit is also operative to determine which of the stored location information and the corresponding expected sender authentication information to send to a recipient (Watts: column 3 lines 27-32: the system randomly selects desired indicium to the user to request information on the card).

40. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goede U.S. Pat. No. 5246378 (hereinafter Goede).

41. As per claim 36, Goede discloses a transaction card comprising: transaction card identification information (Goede: column 3 lines 25-29); sender authentication information identifiable by location information (Goede: column 2 lines 62 - column 3 line 10 and figure 1: the random digit represented in a matrix); a translucent identification member (Goede: column 2 lines 45-47: the substrate may be transparent, frosted, colored or opaque); and location information (Goede: column 2 lines 56-61: the location designating symbols).

Goede does not explicitly disclose the card comprises serial number information. However, it would have been obvious to one having ordinary skill in the art to include identification information such as serial number on a card to identify proper owner of the card because use of serial number on card device is well known and standard practice.

Response to Arguments

42. Applicant's arguments filed 9/1/10 have been fully considered but they are not persuasive.

Regarding applicant's remarks, applicant mainly argues that the prior art of record does not disclose the claimed invention because it is not directed toward solving phishing problems. Although the prior art of record does not disclose anti-phishing technique as argued by the applicant, the prior art discloses a method of authenticating a party using location information and desired information on the card. The core concept of the invention is to ensure that one party has knowledge of authentication information provided by the other party to establish trusted communication. Therefore, the examiner has rejected the claims based on the method of using

location information to locate desired authentication information as being obvious variation of the claimed invention and applicant is advised to incorporate the allowable subject matter to clearly convey the inventive concept.

Conclusion

43. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHIN-HON CHEN whose telephone number is (571)272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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